

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
JULY 21, 1997 -- 7:00 P.M.**

ROLLCALL Answering rollcall were Members Faust, Hovland, Kelly, Maetzold and Mayor Smith.

CONSENT AGENDA ITEMS APPROVED Motion of Member Maetzold seconded by Member Hovland to approve and adopt the Consent Agenda as presented.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

***MINUTES OF THE REGULAR MEETING OF JUNE 7, 1997, AND SPECIAL MEETING OF JULY 7, 1997, APPROVED** Motion made by Member Maetzold and seconded by Member Hovland approving the Minutes of the Regular Meeting of June 7, 1997, and Special Meeting of June 7, 1997.

Motion carried on rollcall vote - five ayes.

***FINAL DEVELOPMENT PLAN FOR 3917-3929 WEST 50TH STREET (EDINA PROPERTIES) CONTINUED TO AUGUST 4, 1997** Motion made by Member Maetzold and seconded by Member Hovland continuing the Final Development Plan for 3917-3929 West 50th Street (Edina Properties) to August 4, 1997.

Motion carried on rollcall vote - five ayes.

ORDINANCE NO. 1997-9 REPEALING SECTION 420, EXCAVATION AND ENACTING SECTION 421 - RIGHTS-OF-WAY MANAGEMENT, REVIEWED Assistant Manager Hughes reviewed the proposed ordinance regulating use of public rights-of-way. The proposed ordinance would repeal existing Section 420 of the Code and replace it with a more comprehensive ordinance regulating all facets of right-of-way use. The proposed ordinance is based on other City ordinances and the League of Minnesota Cities' model and would regulate all utilities, private facilities, or uses that are placed in the right-of-way.

Assistant Manager Hughes explained the proposed ordinance has been provided to the two fiber optic companies KMC Telecom Inc., and OCI Communications, Inc., and the various public utilities currently occupying the right-of-way.

Council discussed the proposed ordinance and various issues arising from Chapter 123 including:

- If there was a waiting period proposed before a permit would be issued;
- Procedures for emergency repairs;
- Impact on current occupants of the right of way;
- Notification of abandoned facilities;
- Accessibility by Federal, State or County governments to City controlled rights-of-way;
- Notification to adjoining property owners of upcoming work;
- Development of fees ordinance; and
- Effect on City franchise holders.

Mayor Smith noted that KMC Telecom Inc., Paragon Cable NSP and U.S. West had all requested action on the proposed ordinance be held over until August 21, 1997. He directed staff to continue their work developing the ordinances and fee structure and present them at the August 21, 1997 meeting.

***FIRST READING - ORDINANCE NO 1997-10, AN ORDINANCE AMENDING SECTION 185, PROVIDING NEW AND REVISED FEES FOR RIGHTS-OF-WAY MANAGEMENT CONTINUED TO**

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AUGUST 4, 1997 Motion made by Member Maetzold and seconded by Member Hovland continuing first reading of Ordinance No. 1997-10, An Ordinance Amending Section 185, Providing New and Revised Fees for Rights-of-Way Management, to August 4, 1997.

Motion carried on rollcall vote - five ayes.

***BID AWARDED FOR PARK (BALLFIELD) FENCING AT COURTNEY FIELDS-BRAEMAR PARK AND PAMELA PARK** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for park (ballfield) fencing at Courtney Fields - Braemar Park and Pamela Park to recommended low bidder, Fenc-Co., Inc., (Contract 97-8PK) at \$127,012.25.

Motion carried on rollcall vote - five ayes.

***BID AWARDED FOR SANITARY SEWER AND WATER SERVICE FOR SIX PARK BUILDINGS, STORM SEWER FOR NORMANDALE LUTHERAN CHURCH, AND WATER MAIN FOR COVENTRY BUILDINGS 6 AND 7 AND BRAEMAR BOULEVARD, CONTRACT 97-3** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for sanitary sewer and water service for six park buildings, storm sewer for Normandale Lutheran Church, and water main for Coventry Buildings 6 and 7 and Braemar Boulevard under Contract 97-3, to recommended low bidder, Thomas and Sons Construction, Inc., at \$311,252.75.

Motion carried on rollcall vote - five ayes.

***BID AWARDED FOR PARK REGRADING OF COURTNEY FIELDS - BRAEMAR PARK - CONTRACT 97-10PK** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for park regrading of Courtney Fields - Braemar Park, Contract 97-10PK to recommended low bidder, Friedges Landscaping, Inc., at \$94,791.00.

Motion carried on rollcall vote - five ayes.

***BALLFIELD PLAY STRUCTURES, BRAEMAR PARK CONTRACT NO. 97-11PK CONTINUED TO AUGUST 4, 1997** Motion made by Member Maetzold and seconded by Member Hovland continuing the award of bid to August 4, 1997, for ballfield play structures for Braemar Park Contract No. 97-11PK.

Motion carried on rollcall vote - five ayes.

***BID AWARDED FOR TWO DUMP TRUCKS** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for two dump trucks, one single axle and one tandem axle to sole bidder, Boyer For Truck through State of Minnesota Cooperative Purchasing Program Contract, T114-T114, at \$115,209.21.

Motion carried on rollcall vote - five ayes.

TRAFFIC SAFETY REPORT OF JULY 7, 1997, APPROVED Traffic Safety Coordinator Bongaarts presented the July 7, 1997 Traffic Safety Staff Review Report noting the recommendation of Section B (9). Staff is recommending denial of the request for a 4-way STOP sign on West 56th Street at Park Place because of lack of warrants. Coordinator Bongaarts noted receipt of a letter from area residents who were in attendance this evening. He continued explaining that a two-way stop exists on 56th Street. An accident history survey since 1991 revealed one accident at this intersection involving two local residents. In addition, a speed survey conducted on a Tuesday between 4:00 and 4:45 p.m. showed 45 vehicles during the survey time with the 85 percentile speed at 30 MPH. Based upon this data, staff recommended denial of the requested STOP sign. Coordinator Bongaarts reviewed the warrants for STOP signs: total vehicular volume entering intersection from all approaches must average at least 500 vehicles per hour for any 8 hours of any average day; the combined vehicular and pedestrian volume from the minor street or highway must average at least 200 units per hour for the same 8 hours, with an average delay to minor street vehicular traffic of at least 30 seconds per vehicle during the maximum hours, but when the 85-percentile approach speed of the major street traffic exceeds 40 miles per hour, the minimum vehicular volume warrant is 70 percent of the previous requirements.

Public Comment

David Liebl, 5536 Park Place, spoke on behalf of several neighbors on West 56th Street. Mr. Liebl stated the neighbors have concerns regarding: traffic speed, cut-through traffic, and traffic during rush hours. The neighbors suggest installation of stop signs at each corner between France and Wooddale or at least at 56th Street and Park, a "No left turn" sign on France Avenue for traffic heading north on France from 4-6 p.m., installation of a speed indentation to slow traffic and installation of sidewalks on 56th Street from Wooddale to France. He added the neighbors are looking for direction for their next step. He noted the neighbors have attempted to slow traffic by parking vehicles on the street and are looking for proactive measures to their problems.

John Everett, 5600 Park Place, noted the Country Club area has more traffic, but also has more stop signs and sidewalks. Mr. Everett asked how residents get sidewalks installed and how are sidewalks financed.

Mary Everett, 5600 Park Place, asked if the stop sign at 56th and Park could be turned to east/west from its current north/south orientation. Ms. Everett stated the north/south traffic volume is very low.

Council briefly discussed the neighborhood's concerns as they relate to the City's policy for traffic safety and suggested the neighborhood work with staff to attempt a mutually agreeable solution.

Member Hovland made a motion, seconded by Member Maetzold approving the following actions recommended in Section A of the July 7, 1997 Traffic Safety Report:

1. Install "No Parking Anytime" signs for the Pamela Park side of Brookview across from 5844 Brookview. Also move the "Dead End" sign closer to W. 58th Street.
2. Install two extra large "30 MPH" signs that are highlighted, east and west of Delaney Boulevard. Also highlight other "30 MPH" signs on Dewey Hill Road and repaint the crosswalk. Refer Dewey Hill Road to the Police Department for extra speed and crosswalk enforcement.
3. In response to a request for intervention by the City regarding the safety of children and pedestrians on Tanglewood Court, draft a letter to be sent to all the residents of Tanglewood Court regarding safety.
4. Move the "Do Not Enter" sign up closer on the median to the intersection of Valley View Road and France Avenue.
5. Install a "No Parking Here to Corner" sign for southbound Browndale, 45 feet north of the intersection with Edgebrook Place.

And to acknowledge Sections B and C.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith
Motion carried.

***RESOLUTION ADOPTED CHANGING POLLING LOCATION FOR PRECINCT 14 TO ST. PETERS LUTHERAN CHURCH** Member Maetzold introduced the following resolution, seconded by Member Hovland:

RESOLUTION

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that the polling place for Precinct 14 in the City of Edina be changed from Edina Community Church, 4113 West 54th Street, Edina, Minnesota to St. Peters Church, 5421 France Avenue, Edina, Minnesota

Motion carried on rollcall vote - five ayes.

***AGREEMENT APPROVED WITH THE CITY STORE REGARDING SALE OF UNCLAIMED CITY PROPERTY** Motion of Member Maetzold, seconded by Member Hovland authorizing the Mayor and City Manager to enter into an agreement with The City Store allowing the sale of unclaimed city property.

Motion carried on rollcall vote - five ayes.

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REAPPOINTMENTS MADE TO COMMUNITY EDUCATION SERVICES BOARD Mayor Smith informed the Council that all three current board members have agreed to serve another term. **Member Hovland made a motion reappointing Mike Kelly, Jean Rydell and Jeanine Naves to a one year term ending June 30, 1998 on the Community Education Service Board.** Member Maetzold seconded the motion.

Ayes: Faust, Hovland, Maetzold, Smith

Abstaining: Kelly

MEDIA LAB BIDS AWARDED FOR MASONRY AND CONCRETE PLANKING Manager Rosland explained that bids have been received for work on the new Media Lab at the Art Center. Minnesota Statute requires sealed bids for purchases over \$25,000, while the City's policy calls for sealed bids when a purchase exceeds \$20,000. He requested Council allow the bids to be awarded waiving the City's policy of sealed bids because the total amount is under \$25,000. Manager Rosland added that one the building inspectors is acting as the City's construction manager on this job. Consensus of the Council after a brief discussion was to waive the policy in this case. **Motion made by Member Hovland and seconded by Member Faust for award of bid for the masonry at the Art Center to recommended low bidder Greystone Construction Company at \$23,500.00**

Ayes: Faust, Hovland, Maetzold, Smith

Abstaining: Kelly

Motion made by Member Maetzold and seconded by Member Faust for award of bid for the concrete planking for the Art Center to recommended low bidder Spancrete Midwest Company at \$11,454.00.

Ayes: Faust, Hovland, Maetzold, Smith

Abstaining: Kelly

CLAIMS PAID Member Faust made a motion to approve payment of the following claims as shown in detail on the Check Register dated July 16, 1997, and consisting of 36 pages: General Fund \$288,101.43; Community Development Block Grant \$2,842.00; Communications \$23,144.13; Working Capital \$14,671.33; Art Center \$8,314.61; Swimming Pool Fund \$11,544.08; Golf Course Fund \$73,208.57; Ice Arena Fund \$10,039.02; Gun Range Fund \$468.91; Edinborough/Centennial Lakes \$15,055.96; Utility Fund \$274,568.93; Storm Sewer Utility Fund \$24,257.02; Recycling \$42,082.89; Liquor Dispensary Fund \$199,265.80; Construction Fund \$277,751.67; Park Bond Fund \$578,725.55; I-494 \$923.00; TOTAL \$1,844,964.90 and for confirmation of payment of the following claims as shown in detail on the Check Register dated July 9, 1997, and consisting of 11 pages: General \$178,136.77, Working Capital \$72.00; \$Liquor Dispensary Fund \$75,686.93; TOTAL \$253,895.70. Member Maetzold seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

There being no further business on the Council Agenda, Mayor Smith declared the meeting adjourned at 9:05 P.M.